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WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION

IN RE: ACTOS® (PIOGLITAZONE)  
PRODUCTS LIABILITY LITIGATION

MDL No. 6:11-md-2299

JUDGE DOHERTY

This Document Applies To:

*Jackson v. Takeda Pharmaceuticals  
North America, Inc., et al*

MAGISTRATE JUDGE HANNA

Civil Action No. 6:12-cv-00802

**RULING**

Magistrate Judge Patrick Hanna filed a Report and Recommendation [Rec. Doc. 241; MDL Rec. Doc. 6645] in the captioned matter on November 28, 2016, in which he recommended that this Court dismiss the claims of plaintiff Abraham Jackson, Jr. without prejudice, due to the plaintiff's failures to prosecute his case and comply with the rules of this Court. For the reasons given below, this Court adopts the Report and Recommendation and dismisses the plaintiff's claims without prejudice.

As set out in the Report and Recommendation, Mr. Jackson is currently unrepresented. While he was still represented, Mr. Jackson's former counsel filed a motion to withdraw [Rec. Doc. 231]. In response, Magistrate Judge Hanna ordered Mr. Jackson to appear in court on February 23, 2016 [Rec. Doc. 232], which he did not do, despite confirmed notice [Rec. Doc. 233, 237]<sup>1</sup>. The motion to withdraw was granted, and Magistrate Judge Hanna ordered Mr. Jackson to appear in court on April 26, 2016 [Rec. Docs. 233]. A copy of the order to appear was sent to Mr. Jackson by certified mail, but was returned unclaimed [Rec. Doc. 236]. Mr. Jackson did not appear on April 26, 2016 [Rec. Doc. 238]. On May 24, 2016, Magistrate Judge Hanna was notified by

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<sup>1</sup> While the order to appear in court that was sent to Mr. Jackson by the court via certified mail was returned unclaimed [Rec. Doc. 236], Mr. Jackson's former counsel indicated to Magistrate Judge Hanna that Mr. Jackson had received notice of the order [Rec. Doc. 237].

Mr. Jackson's former counsel that efforts to contact Mr. Jackson had been unsuccessful [Rec. Doc. 239].

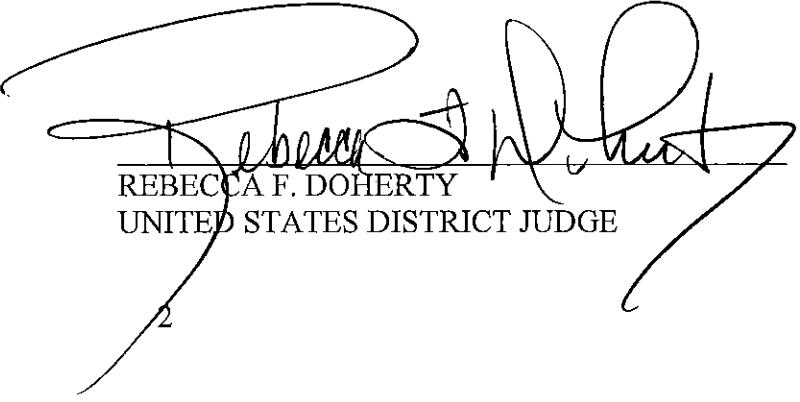
Given the lack of response from Mr. Jackson, at times the inability to contact him, and the lack of forward progress in this matter, Magistrate Judge Hanna concluded that Mr. Jackson has not kept the court apprised of his current address, as required by Local Rule 11.1(1), and has failed to prosecute his claims. Magistrate Judge Hanna therefore issued a Report and Recommendation, recommending that this Court dismiss this matter without prejudice [Rec. Doc. 241; MDL Rec. Doc. 6645]. That Report and Recommendation was sent by the Clerk via certified mail and returned unclaimed [Rec. Doc. 243].

Considering the facts described above, that the court attempted to serve Mr. Jackson at the address on file, that parties have an ongoing obligation to maintain current contact information with this Court, and that no objections to the Report and Recommendation have been lodged in the time allotted therefor, this Court hereby adopts Magistrate Judge Hanna's Report and Recommendation.

IT IS HEREBY ORDERED the claims of Abraham Jackson, Jr. are DISMISSED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED a copy of this Ruling be served on Mr. Jackson at his last known address, 14765 Chef Hwy., Apt. 2901, New Orleans, LA 70129, via certified mail, return receipt requested.

THUS DONE AND SIGNED in Lafayette, Louisiana, this 23<sup>rd</sup> day of February, 2017.

  
REBECCA F. DOHERTY  
UNITED STATES DISTRICT JUDGE